

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Case No: 3:24-cr-00329-CRB-1, 2

Case Name: USA v. Ruthia He and David Brody

TRIAL SHEET, EXHIBIT and WITNESS LIST

JUDGE:	PLAINTIFF ATTORNEY:	DEFENSE ATTORNEY:
Charles R. Breyer	Kristina Green, Jacob Foster, Emily Gurskis, Arun Bodapati	Koren Bell, Michael S. Schachter, Steven J. Ballew, Valery Nechay
TRIAL DATE:	REPORTER(S):	CLERK:
September 30, 2025	Ruth Levine Ekhaus	Lashanda Scott

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
		9:18 a.m.			Judge cried-in. All parties present. Jurors not present. Preliminary matters discussed	
		9:21 a.m.			Government witness sworn - Richard Menesini	
256			X		Government exhibit 256 marked	
915			X	X	Government exhibit 915 marked and admitted Slack Message from Ruthia He to Rick Menesini et al re HIMS NPS Score	
286			X	X	Government exhibit 286 Email from Ruthia He to David Brody, Les Tsang, et al re Monthly Update Jan	
306			X	X	Government exhibit 306 Email from Ruthia He to David Brody, Les Tsang, et al re Monthly Update Feb	
325			X	X	Government exhibit 325 Email from Ruthia He to Nikita Mercado, Jayaram Brindala, et al re Monthly Update March	
349			X	X	Government exhibit 349 Email from Ruthia He to Nikita Mercado, Jayram Brindala, et al re Monthly Update April	
1492			X	X	Government exhibit 1492 Provider Goal Tracking Chart	
		10:31 a.m.			Court in recess	
		10:45 a.m.			Court reconvened. All parties present. All jurors present. Government direct examination of witness Richard Menesini	
1337			X	X	Government exhibit 1337 Provider Recruiting Checklist (Obtained from Levy)	
373			X	X	Government exhibit 373 Slack Message from Bianca Rohr to Ruthia He, David Brody, et al. re recruiting team	

910			X	X	Government exhibit 910 Slack Message from Ruthia He to Rick Menesini re Brody's Role	
219			X	X	Government exhibit 219 Email from Jayaram Brindala to David Brody, et al. re Monthly Risk Mitigation Report (Produced by Brindala)	
888			X	X	Government 888 Slack Message from Hilary Ortega to Dr. David re Endless Unrealistic New Patient Additions (from He Dropbox)	
952			X	X	Government exhibit 952 - marked and admitted	
302			X	X	Government exhibit 302 Email from Svetlana Zak to CC David Brody, et al. re Work Concerns	
304			X	X	Government exhibit 304 Email from Svetlana Zak to Rick Menesini and Jacob Korth re Resignation	
219			X		Government exhibit 219 previously admitted	
230			X	X	Government exhibit 230 Email from Ruthia He to David Brody et al. re Risk Mitigation Report	
		11:40 a.m.			Jurors on break Court directed government's counsel to clarify a portion of his testimony. Discussion re up-coming witness testimony and exhibits.	
		12:01 p.m.			Court in recess	
		12:46 p.m.			Court reconvened. All parties present All jurors present. Court ruling – the last answer of witness Menesini is stricken. Government direct examination of witness Richard Menesini	
248			X		Government exhibit 248 – marked (pending redactions. The exhibit will be admitted after redactions) Message from Debra Dion to Done re Harlan Band (Obtained from Riley Levy)	
254			X	X	Government exhibit 254 Email from Jayaram Brindala to David Brody, Ruthia He, et al. re Monthly Risk Mitigation Report (Obtained from Brody phone and Kristin Neland)	
1824			X	X	Government exhibit 1824 - marked and admitted	
219			X	X	Government exhibit 219 previously admitted	
249			X	X	Government exhibit 249 Email from Debra Dion to Rick Menesini re Harlan Band Dr. Shabnam Rahimi	
281			X	X	Government exhibit 281	

					Email from Jayaram Brindala to David Brody, et al. re Monthly Risk Mitigation Report (Produced by Brindala)	
297			X	X	Government exhibit 297 Email from Jayaram Brindala to Ruthia He, et al. re Monthly Risk Mitigation Report (Produced by Brindala)	
335			X	X	Government exhibit 335 Email from Jayaram Brindala to Ruthia He, David Brody, et al. re April 30, 2021 Risk Mitigation Report (Obtained from Brody Phone and Brindala)	
364			X	X	Government exhibit 364 Email from Jayaram Brindala to Ruthia He, et al. re Monthly Risk Mitigation Report (Produced by Brindala)	
343			X	X	Government exhibit 343 Slack Message from Ruthia He to David Brody, et al. re What Patients Care About	
283			X	X	Government exhibit 283 Email from Ruthia He to Jon Eaton and Rick Menesini et al. re Prescriptions in Usual Course of Practice	
924			X	X	Government exhibit 924 Email from LegitScript to Ruthia He et al re LegitScript Healthcare Merchant Certification Okay Health, Inc.	
393			X	X	Government exhibit 393 Slack Message from T.J. Williams to Ruthia He, David Brody, et al. re Pharmacy Denials	
		1:36 p.m.			Court in recess	
		2:00 p.m. 2:01 p.m.			Court reconvened. All parties present. All jurors present. Defense (He) cross-examination of witness Richard Menesini	
	6035		X	X	Defense (He) exhibit 6035 CV for Rick Menesini	
	6050		X	X	Defense (He) exhibit 6050 – marked and admitted	
	6038		X	X	Defense (He) exhibit 6038 – marked and admitted	
	6338		X	X	Defense (He) exhibit 6338 – marked and admitted	
	6037		X	X	Defense (He) exhibit 6037 – marked and admitted	
	6049		X	X	Defense (He) exhibit 6049 – marked and admitted	
	6035		X	X	Defense (He) exhibit 6035 – marked and admitted	
	6048		X	X	Defense (He) exhibit 6048 – marked and admitted	
	9009		X		Defense (He) exhibit 9009 – marked	
	9008		X		Defense (He) exhibit 9008 – marked	
	6247		X	X	Defense (He) exhibit 6247 – marked and admitted	

	6130		X	X	Defense (He) exhibit 6130 – marked and admitted	
	6129		X	X	Defense (He) exhibit 6129 – marked and admitted	
	6131		X	X	Defense (He) exhibit 6131 – marked and admitted	
1337			X		Government exhibit 1337 previously admitted	
	9009		X		Defense (He) exhibit 9009 – marked	
	9008		X		Defense (He) exhibit 9008 – marked	
		3:44 p.m.			Witness excused for the day and instructed to return on October 1, 2025 at 9:15 a.m.	
		3:47 p.m.			The Court addressed the jurors re the government shut-down at midnight, discussed juror payment, parking validation, etc. Jurors excused until October 1, 2025 at 9:15 a.m.	
		3:49 p.m.			Motion to Preclude hearing held. Christopher James Steskal sworn-in Court inquiry re Grand Jury Subpoena/Production of Document dated 11/26/2020. Government examination of Mr. Steskal Defense (He) examination of Mr. Steskal Court inquiry Defense (Brody) examination of Mr. Steskal Witness excused Further discussion re object/hyperlink production to the government. Preliminary matters discussed. Exhibit 3049, last page; The exhibit number will be re-numbered. Court adjourned until October 1, 2025 at 9:15 a.m.	
		4:15 p.m.				
		4:21 p.m.				